

Form PTO-1390  
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

1797.0160001/RWE

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5)

09/856,561

INTERNATIONAL APPLICATION NO

PCT/US99/27731

INTERNATIONAL FILING DATE

11/23/99

PRIORITY DATE CLAIMED

11/23/98

TITLE OF INVENTION

*Thlaspi caerulescens* Subspecies for Cadmium and Zinc Recovery

APPLICANT(S) FOR DO/EO/US

LI, Yin-Ming; CHANEY, Rufus L.; REEVES, Roger D.; ANGLE, J. Scott and BAKER, Alan J.M.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 372(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ Assignment documents for recording. Separate cover sheets in compliance with 37 C.F.R. 3.28 and 3.31 are included.
13. ☐ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. Copy of Notification of Missing Requirements;
  - b. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1) (in duplicate).
  - c. Power of Attorney From Assignee from University of Maryland;
  - d. Certificate Under 37 C.F.R. § 3.73(b) from University of Maryland, with copy of Assignment;
  - e. Power of Attorney From Assignee With Delegation from The United States of America, as represented by the Secretary of Agriculture;
  - f. Certificate Under 37 C.F.R. § 3.73(b) from The United States of America, as represented by the Secretary of Agriculture, with copy of Assignment;
  - g. Power of Attorney From Assignee With Delegation from Massey University;
  - h. Certificate Under 37 C.F.R. § 3.73(b) from Massey University, with copy of Assignment;
  - i. Power of Attorney From Assignee With Delegation from The University of Sheffield; and
  - j. Certificate Under 37 C.F.R. § 3.73(b) from The University of Sheffield, with copy of Assignment.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) <b>09/856,561</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US99/27731</b>	ATTORNEY'S DOCKET NUMBER <b>1797.0160001/RWE</b>
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<b>17. <input checked="" type="checkbox"/> The following fees are submitted:</b>	<b>CALCULATIONS      PTO USE ONLY</b>		
<p><b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>          Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... <b>\$ 100.00</b></p>			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT</b> =	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">\$already paid</td> <td style="width:40%;"></td> </tr> </table>	\$already paid	
\$already paid			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">\$already paid</td> <td style="width:40%;"></td> </tr> </table>	\$already paid	
\$already paid			

  

Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X <b>\$18.00</b>	\$	
Independent Claims	- 3 =		X <b>\$84.00</b>	\$	
Multiple dependent claim(s) (if applicable)			+ <b>\$280.00</b>	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b>				=	\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL</b>				=	\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE</b>				=	\$already paid
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+	\$ 160.00
<b>TOTAL FEES ENCLOSED</b>				=	\$ 160.00
					Amount to be refunded:
					\$
					charged:
					\$

  

a. ☒ A check in the amount of \$ 1,080.00 to cover the above fees and \$920.00 for extensions of time is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  

SEND ALL CORRESPONDENCE TO:  <b>CUSTOMER NUMBER 26111</b> <b>STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.</b> 1100 New York Avenue, NW, Suite 600 Washington, D.C. 20005-3934	<div style="margin-bottom: 10px;">           SIGNATURE       </div> <div style="margin-bottom: 10px;"> <u>12/05/2001</u>          DATE       </div> <div style="margin-bottom: 10px;"> <u>Robert W. Esmond</u>          NAME       </div> <div> <u>32,893</u>          REGISTRATION NUMBER       </div>
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